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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO
10/601,378	06/23/2003	David Farrow	SMB-004	7906
22832	7590 11/29/2005		EXAMINER	
KIRKPATRICK & LOCKHART NICHOLSON GRAHAM LLP (FORMERLY KIRKPATRICK & LOCKHART LLP) 75 STATE STREET			MORAN, MARJORIE A	
			ART UNIT	PAPER NUMBER
BOSTON, N	1A 02109-1808		'631	
2001011, 1	02109 1000		.51	

DATE MAILED: 11/29/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

		Application No.	Applicant(s)				
Office Action Summan		10/601,378	FARROW, DAVID	FARROW, DAVID			
	Office Action Summary	Examiner	Art Unit				
		Marjorie A. Moran	1631				
Period fo	The MAILING DATE of this communication a or Reply	ppears on the cover sheet w	vith the correspondence ac	ddress			
WHIC - Exter after - If NC - Failu Any	ORTENED STATUTORY PERIOD FOR REF CHEVER IS LONGER, FROM THE MAILING nsions of time may be available under the provisions of 37 CFR SIX (6) MONTHS from the mailing date of this communication. It period for reply is specified above, the maximum statutory perior te to reply within the set or extended period for reply will, by state reply received by the Office later than three months after the material patent term adjustment. See 37 CFR 1.704(b).	DATE OF THIS COMMUN 1.136(a). In no event, however, may a and will apply and will expire SIX (6) MO ute, cause the application to become A	ICATION. I reply be timely filed INTHS from the mailing date of this c	•			
Status							
1)	Responsive to communication(s) filed on 23	June 2003					
•	This action is FINAL . 2b) ☐ This action is non-final.						
3)	<u></u>						
ت(۵	closed in accordance with the practice under <i>Ex parte Quayle</i> , 1935 C.D. 11, 453 O.G. 213.						
Dispositi	on of Claims		2,				
•		20					
•	Claim(s) <u>1-21</u> is/are pending in the application. 4a) Of the above claim(s) is/are withdrawn from consideration.						
	4a) Of the above claim(s) is/are withdrawn from consideration. 5) □ Claim(s) is/are allowed.						
•	6) ☐ Claim(s) is/are allowed.						
· · · · · · · · · · · · · · · · · · ·	Claim(s) is/are rejected. Claim(s) is/are objected to.						
-	Claim(s) <u>1-21</u> are subject to restriction and/o	r election requirement.					
·							
	on Papers						
9) The specification is objected to by the Examiner.							
10) The drawing(s) filed on is/are: a) accepted or b) objected to by the Examiner.							
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).							
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d). 11) The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.							
•	•	Examiner. Note the attache	d Office Action or form Pi	IO-152.			
Priority u	ınder 35 U.S.C. § 119						
12) Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f). a) All b) Some * c) None of:							
	1. Certified copies of the priority documents have been received.						
	2. Certified copies of the priority documents have been received in Application No						
	3. Copies of the certified copies of the priority documents have been received in this National Stage						
* 0	application from the International Bure	•	t received				
3	ee the attached detailed Office action for a li	st of the certified copies no	received.				
Attachmen	t(s)						
	e of References Cited (PTO-892)		Summary (PTO-413)				
· <u></u>	e of Draftsperson's Patent Drawing Review (PTO-948)		Paper No(s)/Mail Date Di Notice of Informal Patent Application (PTO-152)				
	nation Disclosure Statement(s) (PTO-1449 or PTO/SB/0 r No(s)/Mail Date	6) Other:		,			

Election/Restrictions

Restriction to one of the following inventions is required under 35 U.S.C. 121:

I. Claims 1-8, drawn to a method of detecting an analyte particle in a fluid, classified in class 435, subclass 7.1.

II. Claims 9-21, drawn to a laboratory device comprising chambers and a filter, classified in class 422, subclass 68.1.

The inventions are distinct, each from the other because of the following reasons:

Groups I and II are separate and distinct. While the method of Group I MAY be performed using the chip of Group II the method is not so limited and may also be performed using any appropriate filtration means.

Because these inventions are distinct for the reasons given above and have acquired a separate status in the art as shown by their different classification, restriction for examination purposes as indicated is proper.

Applicant is advised that the reply to this requirement to be complete must include an election of the invention to be examined even though the requirement be traversed (37 CFR 1.143).

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Marjorie A. Moran whose telephone number is (571) 272-0720. The examiner can normally be reached on Mon,Wed: 7-1:30; Tue,Thur: 7:30-6; Fri 7-3:30 EST.

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If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Ardin Marschel can be reached on (571)272-0718. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see http://pair-direct.uspto.gov. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

Marjorie A. Moran Primary Examiner

Art Unit 1631 Mayair a. Moran